

REMARKS

Claims 1-8, 23-27, and 30-39 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 37-39 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection is respectfully traversed.

Applicant has amended claim 37 to properly depend on independent claim 36 which is a method claim. Claims 38 and 39 depend from claim 37. Therefore, Applicant respectfully submits that claims 37-39 are now in condition of allowance.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 2, 23, 25, 27, 30, 31, 33, 34, and 36 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Gates et al (U.S. Pat. No. 6,531,997). This rejection is respectfully traversed.

The Examiner states that Gates discloses a display device having display states which are prescribed by distribution states of particles, the display device comprising a drive circuit applying a first electric field to the particles for changing the distribution state thereof into a certain state, and applying a second electric field to the particle for maintaining or stabilizing the certain state. However, Gates discloses that "the application of combinations of addressing signals that result in a net zero time average signal can be used to reduce the degradation of the materials used in constructing the electrophoretic display elements" (column 17, lines 44-47). In other words, Gates

discloses that the second addressing signal is set to result in a net zero sum of the time quadrature, or time integral, of the first and second addressing signals, thereby preventing material degradation of the display. Therefore, the first and second addressing signals have opposite polarity (Fig. 2; column 3, lines 56-57). In contrast, Applicant has amended independent claim 1 to recite that the first electric field and the second electric field are of a first polarity. Applicant has amended independent claims 23, 30, 33, and 36 to include analogous structure. Gates does not teach or disclose such a structure. Furthermore, Gates does not teach or disclose that the second electric field “maintains or stabilizes the certain state” as recited in claims 1, 23, 30, 33, and 36. Therefore, Applicant respectfully submits that independent claims 1, 23, 30, 33, and 36, as well as their corresponding independent claims, are now in condition of allowance.

REJECTION UNDER 35 U.S.C. § 103

Claims 3-8, 24, 32, 35, 37, 38, and 39 stand rejected under 35 U.S.C. § 103(a) as being obvious over Gates et al (U.S. Pat. No. 6,531,997) in view of Turner et al (U.S. Pat. No. 6,480,182). This rejection is respectfully traversed.

Gates, singly or in combination with Turner, does not teach or disclose that the first electric field and the second electric field are of a first polarity, and that the second electric field maintains or stabilizes the certain state. Therefore, Applicant respectfully submits that this rejection is rendered moot in light of the amendments to the independent claims.

Claim 26 stands rejected under 35 U.S.C. § 103(a) as being obvious over Gates et al (U.S. Pat. No. 6,531,997) in view of Turner et al (U.S. Pat. No. 6,480,182) and



Further in view of Okamoto (U.S. Pat. No. 6,094,184). This rejection is respectfully traversed.

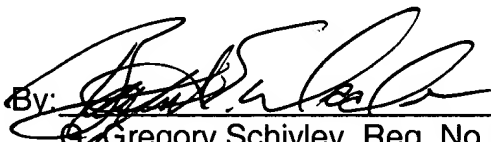
Gates, singly or in combination with Turner or Okamoto, does not teach or disclose that the first electric field and the second electric field are of a first polarity, and that the second electric field maintains or stabilizes the certain state. Therefore, Applicant respectfully submits that this rejection is rendered moot in light of the amendments to the independent claims.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: January 26, 2004

By: 
G. Gregory Schivley, Reg. No. 27,382
Bryant E. Wade, Reg. No. 40,344

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

GGG/BEW/dma